

**VIRGINIA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
DIVISION OF ANIMAL & FOOD INDUSTRY SERVICES
STATE VETERINARIAN'S OFFICE
P. O. BOX 1163
RICHMOND, VA 23218**

AVIAN INFLUENZA (H5 and H7) PROCLAMATION

WHEREAS, Virginia poultry growers and owners have experienced significant economic losses from Avian Influenza, and

WHEREAS, Avian Influenza outbreak eradication efforts and indemnity payments have been costly to the federal government and the Commonwealth of Virginia, and

WHEREAS, another serious outbreak of Avian Influenza could threaten the future of the Virginia poultry industry, then

Pursuant to the authority of Chapter 27 of Title 3.1 of the Code of Virginia, Article 1, §3.1-724, 726, 730, 734 and 740, and Article 1.1, §3.1-741.4 and 741.5 and 2VAC 5-140, Sections 40 and 90, Rules and Regulations Pertaining to the Health Requirements Governing The Admission of Livestock, Poultry, Companion Animals, and other Animals or Birds into Virginia, the following requirements are implemented:

A. Requirements governing hatching eggs and certain day-old birds

No person may bring or ship into Virginia any hatching egg, day-old chicken, day-old game bird, or day-old turkey unless:

1. (In the case of the hatching egg) the hatching egg originates from a breeder flock that participates in and meets the requirements of the "U.S. Avian Influenza Clean" program of the National Poultry Improvement Plan and (in the case of the day-old chicken, day-old game bird, or day-old turkey) the hatchery from which the day-old chicken, day-old game bird, or day-old turkey originates only handles hatching eggs that originate from breeding flocks that participate in and meet the requirements of the "U.S. Avian Influenza Clean" program of the National Poultry Improvement Plan; and
2. The person holds a permit for such shipment from the Virginia Department of Agriculture and Consumer Services (telephone 540/434-3897); and

3. A statement certifying that the breeder flock shipping hatching eggs and all breeder flocks supplying eggs to the hatchery shipping day-old chickens, day-old game birds, or day-old turkeys participate in and meet the requirements of the "U.S. Avian Influenza Clean" program of the National Poultry Improvement Plan, and the permit number shall be entered in block #10 of VS Form 9-3.

B. Requirements governing all other poultry.¹

Except as provided by paragraph A ("Requirements governing hatching eggs and certain day-old birds"), no person may bring or ship into Virginia any poultry, unless:

1. The poultry is first tested and found negative for avian influenza (H5 and H7), or comes from a flock that has first been tested (20 birds per house minimum, or for flocks, of 500 or fewer, 20 birds per flock minimum as long as all houses and pens on the premises are represented) and found negative for avian influenza (H5 and H7) within 10 days before the poultry enters Virginia: and
2. The person holds a permit for such shipment from the Virginia Department of Agriculture and Consumer Services (telephone 540/434-3897).
3. The results of the test for avian influenza and the permit number are recorded on a health certificate signed by an accredited veterinarian in the state of origin or on a report issued by a laboratory approved by any state or federal animal health authority.

In testing for Avian Influenza, the accredited veterinarian shall use only the AGID, ELISA, Directigen, PCR or virus isolation test methods in a laboratory approved by a state or federal animal health authority.

C. Live Bird Market System

The Commonwealth of Virginia will adhere to the USDA Uniform Standards for a State-Federal-Industry Cooperative Program for the Prevention and Control of H5 and H7 Low Pathogenicity Avian Influenza in the Live Bird Marketing System (APHIS 91-55-076, Effective October 20, 2004).

¹ "Poultry" is defined to mean any domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds.

D. Exceptions to Proclamation

1. Nothing in this proclamation shall apply to:
 - a. Any poultry or hatching egg passing directly through Virginia to another state without being removed from its primary container;
 - b. Any broiler less than 55 days of age going directly to slaughter; or
 - c. Any pigeons, doves, finches, psittacines, birds of prey and song birds.
2. Import permits are not required for out-of-state poultry for immediate slaughter and going directly to a USDA or VDACS approved and inspected slaughter facility.
3. Grow out turkeys for immediate slaughter and going directly to a USDA or VDACS approved and inspected slaughter facility from an out-of-state farm that is part of a Virginia based complex² must test 10 birds/house minimum and all tests be found negative for avian influenza (H5 and H7) within 10 days before the turkeys enter Virginia.

E. Effective date of proclamation

This proclamation shall take effect June 1, 2005 and supersedes Avian Influenza (H5 and H7) Proclamation, effective June 1, 2004.

Richard L. Wilkes, DVM
/s/
State Veterinarian
Virginia Department of Agriculture & Consumer Services

June 1, 2005

² "An out-of-state farm that is part of a Virginia based complex" is defined as one of a group of farms providing grow out turkeys to a Virginia processing facility and serviced by the same hatchery and feed mill.